## TERMS OF THE RAILROAD TREATY

A Draft of the Western Agreement as It Stood After a Day's Deliberation by the Advisory Board Committee.

FREIGHT POOLS AND JOINT AGENCIES

Sulphurous Fumes Almost Smother the Money Kings in Their Council Chamber.

EIGHT MORE ROADS WANTED.

The Western Traffic Association-for such is the official title of the syndicate or pool formed to control the business of all the railroads west of Chicage—is now an assured fact.

The representatives of \$3,000,000,000 of capital invested in these railroads held their second meeting yesterday in this city and worked in perfect harmony to perfect a plan for eliminating much of the competition now going on in the West. They reiterate I their pledges to maintain rates, to divide all the traffic for competitive points, to aboltsh competing agencies and concentrate their business in the hands of joint agents, to drop unnecessary passenger trains and altogether to wipe out millions every year from their expense shets.

The Advisory Board, composed of the president and one director of each road, assembled at the Windsor Hotel at half-past ten o'clock in the morning. A general declaration of principles was signed at the conference held at J. Pierpont Morgan's house on December 15. The more difficult task of reconciling individual interests and securing the adoption of a specific treaty the details of which will be agreeable to all the fifteen railway systems in the association now confronted the presidents. A good deal of work was disposed of yesterday, but much remains to be done.

REFERRED TO A COMMITTEE.

The Advisory Board proper met in the morning, under the chairmanship of Roswell Miller, president of the St. Paul road, and discussed the railway problem. Jay Gould had a good deal to say in favor of his plan for abolishing the agencies of the companies and for pooling freight between competitive points. Several propositions were considered, and finally the formation of by laws and rules was referred to a committee to consist of members of the Advisory Board and active freight

The members of the Advisory Board present were as follows:-Missouri Pacific-Jay Gould. Atchison. Topeka and Santa Fé-Allen Manvel, president; George C. Magcom, chairman of Board. Southern Pacific—C. F. Huntington, president; J. C. Stubba, third vice president. Northern Facific—Thomas F. Oalses, president; David S. Wegg, director. Union Pacific—Siduey Dillon, president. Chicago, and Northwestern—Marvin Hughitt, president; Albert Keep, chairman of the Board. Chicago, Rock Islandand Facific—E. B. Cable, president; B. Brewster, director. Denver and Rio Grande—David H. Moffat, president; George Coppell, chairman of the Board. Rio Grande Western—William J. Palmer, president; David Dedge, peneral manager. Chicago, Milwaukes and St. Paul—Roswell Miller, president; Samuel Spencer, director. Wabash Bailroad—C. D. Ashiev, president; Charles M. Hays, director, Iswa Central—Russell Sage, president; C. H. Ackert, general manager. Ullinois Central—S. V. R. Cruger, director. Chicago, Burlington and Quincy—Charles E. Perkins, president; Charles Payne, director; Missouri, Kansas and Texas—H. K. Enos, president, At one o'glock the Board adjourned until ten Topeka and Santa Fé-Allen Manvel, president;

Missouri, Kansas and Texas—H. K. Encs, president,
At one o'clock the Board adjourned until ten o'clock this morning, and then the Committee on Bylaws and Rules assembled. This committee consisted of these gentlemen,—Atchinson, Messrs, Allen, Manvell and Colonel John J. McCook; Chicago and Northwestern, Messrs, Hughitt and Newman; Burlington, Messrs, Erstins and Harris; Rock Island, Messrs, Cable and Johnson; Great Northern, J. Kennedy Tod; Missouri Pacific, Messrs, Jay Gould and Leeds; Northern Pacific, Messrs, Cables, Weng and Haunaford; Southern Pacific, Messrs, Sibbs and Sproule; Union Pacific, Messrs, Dillon and Mellen. The roads belonging to the association and not mentioned above had their advisory board members on the committee.

committee.

The committee's deliberations lasted until halfpast five o'clock in the afternoon and then they adjourned until nine o'clock this morning. Their
work is not completed, but they have put into
shape an agreement which in their opinion covers
the purposes of the organization. It is subject to
changes, and will be changed, perhaps very materially, both by the committee and by the Board,
but the Hyavar eiges it as the net require at this but the Hemain gives it as the not result at this stage of the deliberations and as well calculated to thow the scope and aims of the new association.

Article I has not yet been passed upon, the claims of New York and Chicago as the headquarters of the organization being about even. Action on the adoption of some of the sections has been suspended pending deliberation. Here is the agreement as it now stands:—

The name of the association shall be the Western Traffic Association, and its principal office shall be in the city of Chicago, where all regular meetings shall be held unless otherwise ordered by the Board.

unless otherwise ordered by the Board.

The business to be covered by this agreement shall be all the state and interstate traffic, both freight and passenger, which is competitive between any two or more of the carties therete, having origin or destination in illineis. Minnesota, Wisconsin and peninsula of Michigan, or any State or Territory went of the Mississipp River, except business passing between points north of the Ohle River and points south thereof, both of which are east of the Mississipp River. The husiness to correct the Republic of Mexico via Rio Grande River crossings shall be included.

ARTICLE III.

ings shall be included.

ARTICLE III.

The Advisory Board shall mest quarterly on the second Tuesday of January, April, July and October each year. Special meatings of the Board shall be called by the president whenever in his judgment necessary, or upon the request in writing of any three members of said Board, giving at Jeast ten days notice of the time and place of such nucting. The recents of the meeting of the Advisory Board shall be kept by its secretary, and the preceedings shall be promulgated by him for the information of members.

maties of members.

Auticix iv.

The following officers shall be elected by ballot at the January meeting in each year by four-fifths of the members: -President, Finance Committee, four or more Committee, four or more Committee or the commissioners, one of whom shall be named as chair-

The president shall be a member of and shall preside at all meetings of the Advisory Board.

The Finance Committee shall consist of five members of the Board. It shall elect from its number a chairman, who shall preside at its meetings, and, in case of the alvence of the president of the Advisory Board, shall ect as president pro tem. It shall control all disbursoments, authorize the employment of necessary clerks and other asselstants required by the Commissioners.

SECTION 1.—The Commissioners that adopt anch measures as will tend to seeme uniform, stable and reasonable rates, prevent unjust discrimination and enable and the carry its fair share of the competitive radio.

each line to carry its fair share of the competitive traffic.

Sec. 2.—On the application in writing to the Commissioners by any interested company for its share of the competitive traffic, either freight or passenger or both, of any one or more specified points, or of any designated territory, the Commissioners shall make an equitable division thereof between the interested lines, upon such basis and in such lawful manner as they deem advisable, ambiget to revision after full investigation.

Sec. 3.—The Commissioners shall have power, and it is hereby made their duty, to establish a burean for the collection and preservation of such information and statistics as may be necessary to shable them to execute the powers conferred and to recribe the detter imposed upon them. To thek, and they shall be furnished with copies of all way by is and respect of traffic when called for and shall have sutherful themselves or by designated superviolations to examine and check all books, accounts and vouchers in relation to traffic subject to this agreement.

agreement.

See J. All visitations of the agreement or failure to comply with the orders of the Advisory Board or of the Commissioners by any member of the association or any officer or representative of such member shall be reported to the Advisory Board for such action as it may down expedient.

officer or representative of such member shall be reported to the Advisory Board for such action as it may deem expedient.

Sec. 5. The Commissioners shall have power to establish and promulgate from time to time tules and regulations for the orderly conduct of the processings beforehom and change, add to and repeal the same.

Sec. 6. Applications to the Commissioners for relief shall be promptly investigated and determined, reasonable opportunity to be heard being given to all parties interested. In cases of extreme urgency the matter may be determined without a hearing, all members interested being first notified of the proposed action.

Sec. 7. The Commissioners shall apportion the expenses of the association among the members, render monthly statements thereof, and make orafis therefor.

Sec. 8. The caston of the Commissioners shall be by manimous vote in all matters periaining to the appointment of traffic or the establishment of, or a change in, rate, divisions, rules or regulations. In other respects a majority vote may control.

Sec. 9. The Commissioners shall have authority to construe this agreement and all resolutions which may be adopted, and their denisten shall be binding until reverse by the Advisory Board.

The traffic manager, general freight agent, general passonger agent or ether duly authorised officer of the respectively the freight rate and passenger rate committees for the territories or districts which their respectively the freight rate and passenger rate committees for the territories or districts which their respectively the freight rate and passenger rate committees for the territories or districts which their respectively the freight rate and passenger rate committees for the territories or districts traffic officers of the unterested members before hereming operation.

when approved as aforesaid, shall be effective when they orger.
If differences arise the question at issue shall be restred to the Commissioners for determination, provided
owners, the members of the Advisory Board for any in

sioners chosen.

ARVICLE X.

SECTION 1.— The division of through rates on the traffic subject to this agreement, whether between lines mounders of the association or between lines in the sasociation and outside companies, whall be arranged through he association, provided, however, that when one road may be a superplactor; interest in another the divisions between such roads shall be what they excel and another the divisions between such roads shall be what they excel and another the divisions between such roads shall be what they excel and another the divisions to the same shall be reported, so that the divisions we have the same shall be reported, so that the divisions when the same shall be reported, so that the divisions when the same shall be reported, so that the division when made on equally favorable terms.

Sec. 2. All contracts now in existence which may in y manuer affect or control rates or divisions upon any silic included in this agreement shall be filed with the immissioners forthwith.

Commissioners teribusts.

ARTICLE AL.

SECTION 1. Any member aggrioved by any action or determination or non-action of the Commissioners may appeal therefrom to the Advisory Board, which shall, attorists meeting thereafter, either regular or special, consider and determination to question on its merics; but such appeals shall must stay the execution of the action or depends and appeals from. Should the Advisory Beard swerps or modify the action or destrainationers, such restitution shall be prescribed in the order or modification or reversal as the Advisory learn learning deem proper.

s order or modification or types and may deem properly Sec. 2. Any momber affected by any act or determina-ne of the Commissioners made without an opportunity be heard may apply for a hearing with a like fight of 3. The Commissioners in their discretion may allow of execution of the order pending an appeal to the

lied with the Commissioners.

Auricle XII.

The rates and divisions of same affecting traffic covered by this agreement, duly established and in effect on lannars 31, 1891, under the agreement of existing associations and the rules and regulations governing same as provided by said associations, except as modified by the agreement, same is the continuous and the continuous associations.

thority or duty under said agreement or bylaws are required to give full effect to this declaration.

SMORLED OUT WITH SULPHUR.

A very livety and exciting incident disturbed the councils of the committee. They were deep in the mysteries of percentages and joint agencies when suddenly the parlor in which they were seated filled up with a powerful pungent vapor. It was like a whiff from the lower regions, a foul burst of sulphurous fumes. Every eye was at once turned on Mr. Gould, who is supposed to have something in common with the devil. The thought came upon some of the presidents that the King of Hades must have come to claim his own.

The sober deliberators stopped their work, made a rush for the door and swarmed out into the corridors of the hotel, spluttering and coughing. Chairman Reswell Miller became quite sick from the fumes he had inhaled and was compelled to go home. The railroaders, after making arrangements with the hotel people, filed into the ladice' parlor on the opposite side of the house and resumed their labors there, Mr. Oakes, of the Northern Pacific, taking Mr. Miller's place as chairman.

The fact that a house near the hotel was being fumigated accounted for the stampede.

Mr. Gould told a story which, coupled with his celebrated Daniel Drew anecdote related at the last conference of the presidents, tends to show that he is becoming quite a retailer of anecdotes. While the committee were discussing percentages of freight a gentleman representing the Southern Pacific ingenuously suggested an alleged equitable plans which, however, had a hidden clause which would give his road the best bite of the plea.

A STORY FROM GOULD.

This feature of the plan was at once seen by the "Little Wizard."

This feature of the plan was at once seen by the "Little Wizard."

"It reminds me of a story about a friend of mine," he said. "He was getting quite old and about ready to die when it occurred to him that it would be a good thing to divide up his properly before he breathed his last. Calling his sons and daughters sround him he said to them:—Now, my dear hoys and girls, I feel that my end is quite near. I intend to divide up my estate before I get any worse, so that there shall be no trouble when I go. This proposition was accepted by the children with acclamation.

"My friend got his lawyer to draw up the papers and then set about to divide the assets. He unlocked his strong box and took out all his bonds and securities. He first litted up a bundle of very shaky bonds and put them aside, saying to himself, "These will do for Johnny." Then he came

self, These will do for Johnny. Then he came across some rattletrap stock and he gathered them in a heap. These will just about provide for Tom, he said, apparently satisfied. In this style he wenton dividing up his assets among the different heirs.

wenton dividing up his assets among the different heirs.

"Presently he stumbled across a bundle of prime seven per cent New York Central bonds, the best and meat valuable he had so far found. His sye lighted up. Glancing at the provision he had made for his children, and licking his chops at the thought of the packet he held in his hands, he said:—Well, I guess I'll keep these for myself."

This story turned the laugh very considerably against the Southern Pacific.

MINISTRACT MORE HOADS WANTED.

One of the features of the first meeting of the day was the presence of President H. K. Enos, of the Missouri, Kansas and Texas road, which was not represented at the meeting last month. Mr. Enos came as a visitor, and he expressed himself as not opposed to the objects of the association. His road has not signed the preliminary agreement, but may do so later on.

An important resolution was passed by the traffic managers. They declare in effect that eight more lines must be brought into harmony. The most important of there is the Canadian Pacific, International and Great Northern, Cotton Belt, Diagonal, Chicago and Alton, Missouri, Kansas and Texas; Texas Pacific and Kansas City, Fort Scott and Memphis roads are believed to be necessary to this agreement."

A. B. Stickney, of the Chicago, St. Paul and Kansas

phis roads are believed to be necessary to this agreement."

A. B. Stickney, of the Chicago, St. Pauland Kansas City road, has written a letter saying that he will join the association if he can be assured that it will last a reasonable length of time.

A number of freight and passenger men attached to the outside agencies of the roads represented at the meeting hovered anxiously about the meeting place. George R. Fitch, general Eastern agent of the Northern Pacific Railroad, appeared to be a committee of one representing those on the anxious bench. Very little news of a nature to cheer the agents was heard at the Windsor, and they went away disconsolate, convinced that a large number of agencies are to be abolished and incumbents dismissed.

ITEMS OF BAIL WAY NEW ..

The Western Passenger Association closed a three days' session yesterday by authorizing Chairman W. W. Finley to take immediate steps looking to the prosecution of Chicago ticket brozers under the Illinois State law. This action is in line with the general tendency of late to bring about reforms in the conduct of railroad competition in the West, and the general passenger agents who decided upon the course in question are believed to have acted under the instructions of their superior officers.

acted under the instructions of their superior officers.

Judge Patterson, of the Supreme Court, has granted an attachment for \$0,000 against George Washington Hunt, of Walla Walla, Wash., in favor of L. M. Potter & Co., stock brokers, of this city, on a claim for breach of contract in the placing of bonds of the Orogon and Washington Territory Rallroad Company for \$1,000,000. Potter & Co. claim \$30,000 commissions and \$50,000 damages. The Sheriff has served the attachment on Mr. Hunt in this city as he was about to leave for Europe, and also served it on several banks where the bonds are supposed to be deposited.

An order has been issued reinstating James H. Phyfe to the position of assistant superintendent of the New York Central Kaliroad from New York to Albany, which includes the management of affairs about the Grand Central Station. An important meeting in Dr. Webb's private office at the Grand Central Station yesterday was attended by nearly all of Dr. Webb's leading licutemants, including division superintendents, &c. There is a rumor that General Superintendent Theodore Voorhees is to resign soon and that Mr. J. H. Toucey is to be reinstated as general superintendent, leaving Mr. Voorhees to take the management of the extension of the line to Watertown.

ELEMENTS FOR LIVELY TIMES.

David S. Basbrouck, managing editor of the Troy Times, said: - "Mr. Dana is a remarkably able man, but, I have never viewed the Herald's boom for him in a serious light. With Dana and Ingal's in the Sen-ate, and Cleveland in the White House, there would be very lively times around the national Capitol."

## OLD MRS. ROBBINS SUED BY YOUNG MRS. ROBBINS.

Mother-in-Law Had Daughter-in-Law Arrested After Refusing to Let Her See Her Son.

Bamages Sought by the Younger Woman for Having Been Locked up in a Cell.

Charlotte P. Robbins, daughter-in-law, ) Eliza T. Robbins, mother-in-law.

That is the fight that filled the room of Part 4 of the Supreme Court yesterday, the struggle being for the possession of a little boy. The little boy is the hands of his grandparents, Police Captain Robbins (retired) and his wife. Over his innocent head there have been fist

shakings and the calling of hard names. Young John H. Robbins married Charlotte Phelps Hardenbrooke about seven years ago. They quarrelled and he went away leaving her in poverty with their infant son, Herbert, to take care of. She got a limited divorce on the ground of desertion. She put the boy into an institution while she learned the dressmaking trade. Then she took him



out and supported him until John H. Robbins got an absolute divorce from her, and Judge Barrett, in the Supreme Court, awarded him the care of the child.

Lawyer John A. Balestier swore in court yesterday that Robbins never would have got the divorce if Mrs. Robbins' lawyer had not gone to Europe and left her unprotected.

TOLD SHE MIGHT SEE HER CHILD. Some days before the divorce decree was granted to Robbins his wife fled to Jersey City with the child. A police detective, followed shortly by Captain and Mrs. Roberts, tried to take the boy away from his mother, but, under the advice of Lawyer Balestier Chief of Police Murphy, of Jersey City, refused to let this be done. At last a truce was patched up, whereby the grandparents took the child with the promise that they would let the mother visit him "at all reasonable times." Captain Robbins objected to this, but her husband gave Lawyer Balestier his hand that the promise

People who saw Mrs. Captain Robbins in court yesterday laughed when they heard this bit of testimony. Mrs. Captain Robbins is stout and tall. Her face is as fine an exponent of determination as I have ever seen. Every time she plucked her husband's sleeve in court that estimable person collapsed and looked submissive. Mrs. Rob bins were a sable cloak, a sealskin muff and very large and beautifulfsolitaire diamond earrings.

Young Mrs. Robbins had on a big black velvet hat, with long ostrich plumes, an astrakhan



thin, nervous, excitable little woman, and she wept now and then as she told her story.

Young Mrs. Robbins is seeking to recover \$5,000 from her mother-in-law for having her locked up on a charge of disorderly conduct in calling her "a wretch and other vile names." She told her story

"Captain Robbins promised that I cou'd see my child in his station house in Tremo' h I went there on Sunday and waited several hours, but could not find him. I tried to get his wife to let me have my child long enough to have him photo-"On January 18, 1887, I mot the little fellow in

Madison avenue, near 118th street, on his way home

THE BOY RAN PROM HIS MOTHER. " 'Don't you want mamma?' I asked him. But he ran away and told a policeman somebody was trying to kidnap him."

Here young Mrs. Robbins broke down and wept. "When I found out where Mrs. Robbins hved I went there," she resumed. "She opened the front door and said, 'Get away from here!' "Ain't you ashamed to teach my child to run away

'Ain't you ashamed to teach my child to run away from mee' All she said was, 'Get away from here! You needn't go near Captain Robbins 'station house, either. Keep away from there.'

'Did you make any unseemly noise or call her a wretch or any other vile name?' asked young Mrs. Robbins' counsel, E. P. Mills.

'No. I did not.' said young Mrs. Robbins. Then she told how Policeman Dwyer had arrested her at No. 157 West Twenty-third street several days later, after dark, on Mrs. Captain Robbins' charge of making a disturbance.

'The policeman took me to the One Hundred and Twenty-sixth street atation," she said, 'and laid the warrant on the deak. The sergeant simply waved his hand. He didn't say a word. A policeman looked me (sob) in a little (sob) cell.' She described the cell as an awful place. Police Justice Patterson discharged her early next morning, Here is the last bit of young Mrs. Robbins' testimony:—

mony: —

Q. When you were living with your husband did your
mother in law ever visit you? A. Yes; frequently. I
couldn't get along with her. She never eared for me.
She was always finding fault. I never did anything
right. I always treated her kindly for my husband's
sake.

Lawyer Chauning's cross-examination didn't shake young Mrs. Robbins' testimony in the least. She left the witness stand in tears, declaring. "Oh, I have nover had a fair show in this whole busi-

I have nover had a fair show in this whole business!"

THE MOTHER-IN-LAW'S ANGER.

Mother-in-law Robbins stared straight at the young woman, in a way that would have made any man in the Court House quail. Then she climbed into the witness chair and told of the awful way she felt she had been treated. First, she said, her duughter-in-law called on her and said:—"Well, you've got the caild now and you can take care of him. I can be the lady, and you can be the nurse."

"She abused me just awfully," declared Mother-in-law Robbins, "so I put her out. On the Saturday evening following she rang our bell and pushed the maid who answered it flat against the well with awful force. I saw it myself. She ran up the stars to me and shock her fist under my face. What do you mean by keeping my child from me? she said. I was afraid of her—there four jurors laughed—for she called me all the wrotches she could think of. I ordered her down stairs. She went down backward and stood at the parlor door with her back against it and said, 'This is a flat house and I can stay here as long as I like,' and then she went over a history of me and my son—just awful abuse, you know."

a history of me and my son—just awful abuse, you know."

Then she told of young Mrs. Robbins' visit on the day she had intercepted little Herbert on his way home from school, saying vigorously:—"She ran up my front stoop, and stuck her fist inside the door and said, 'You wretch, you! trying to set my child against me! You horrible thing, you!' Then she called me vile names and so forth."

Various other persons testified on the mother-inlaw's side, and ex-Police Justice Patterson and Policeann Dwyer told of young Mrs. Robbins' arrest and discharge. The jury retired at half-past four o'clock, and at five o'clock Mr. Justice O'Brien went home, after giving orders that they might return a sealed verdict.

SHE SAYS SHE HAS LOST HER LOVER'S FORTUNE

A Druggist in This City Said to Have Bequeathed Wealth to His Affianced, Who Has Lost It.

HARD NAMES CALLED IN ANGER. MYSTERY OF A RICH LEGACY.

Queer Story of a Young Girl About a Will and a Couple of Bank Books.

A will and two bank books are in the possession of a man in Brooklyn, supposed to be a lawyer, whom Captain Campbell, of the Adam's street police

station, is trying to discover. The will was made by a wealthy druggist of this city named Schmitt, who died November 1 last, and who bequeathed all the property named in it and the bank books to his betrothed, who attended

The disappearance of the alleged lawyer with the will was made known to Captain Campbell by a young and prepossessing girl who called upon him yesterday and asked his assistance in recovering the will and the bank books.

The name of the girl is withheld by the police. She resides with her parents near East New York, and is nineteen years old.

According to her story Schmitt, who was the owner of seven houses on a prominent thoroughfare in this city and had \$25,000 divided between the Brooklyn Savings Bank and the Bowery Savings Bank, paid his addresses to her for more than a year, and they were to have been married in the spring. During the first few months of their friendship the father of the girl, it is said, objected to Schmitt's visits to his house, and he made known his distaste of the druggist by ordering his daughter to write him and forbid him the house. MONEY MADE A DIFFERENCE.

But when the girl said her lover was wealthy the father, it is alleged, relented and told her she could go shead in her courtship.

Schmitt was taken suddenly ill the day before he Schmitt was taken suddenly ill the day before he died, and when the girl reached his side he was unconscious. After his death a clerk in his drug store handed the girl a tin box and told her that Schmitt had given it to him when he was taken ill with instructions that in the event of his death the box should be given to ber.

The girl tock the box home and a few days ago opened it. The contents were Schmitt's will and bank books. She showed the will to some friends and they advised her to go to the Brooklyn Court House and see a judge.

House and see a judge.

She was puzzled where to go when she was in the rotunds of the Court House, and a young man (who is thought to be a lawyer) approached her and asked whom she was looking for. She produced the will and said she was looking for the Surrocards afficient of the surrocards afficient of the surrocards afficient said she was looking for the

duced the will and said she was looking for the Surrogate's office.

Instead of directing her there the man handed her a card and said it was his name and address. He added that he would look into the will, and told her to meet him in the rotunda two days later. She was there at the appointed time and waited several hours for him to come, but he failed to make his appearance.

WHERE IS HERE LAWYER?

It then dawned upon her that she might have failen into the hands of a sharper, and she visited the address given on the card, but the lawyer whose name the card contained disclaimed all knowledge of ever seeing her or the will.

Then she decided to call upon the police, and told her story to Captain Campbell. He took her to Justice Walsh, where she reiterated what she had old Captain Campbell, but the Justice was unable to act in the matter, as the girl did not know the man to whom she gave the will and the bankbooks.

She was directed to a lawyer on Montague street.

the man to whom she gave the will and the bankbooks.

She was directed to a lawyer on Montague street,
who now has her case in hand and is seeking to
find the man who has her property.

When I saw Captain Campbell yesterday and
asked him who the girl was he said he couldn't disclose her identity, as it would interfere with plans
that had been laid to identify the man who got the
will and the books.

"According to the girl's story to me and to Judge
Waish," said the Captain, "the bank books represent about \$25,000 in cash in bank, and she inherits by the terms of the will seven houses in New
York.

A SHARPER'S SCHEME.

"Many sharks loiter around the court house and the property might have fallen into the hands of one of them, yet from what the girl told me the man to whom she gave the will asked her to make him her guardian and give him \$25 a week while acting as such. Then, too, he wanted her to pay him a fee of \$150 to look into the genuineness of the will. Still it might be that the man to whom she gave the will was a lawyer and is now working to have the will admitted to probate.

"One of the most important things in the will which she fornot to note was the witnesses, whose names were upon it. If she could have told that then there might have been a good clew to work on."

shoulder cape and light brown gloves. She is a MR. CLANCY'S FOST OFFICE BILL. OW ERS OF PROPERTY NEAR THE PEDERAL

BUILDING WILL SELL FOR HIGH PRICES. The news from Washington, printed in the HEBALD yesterday, that Congressman Clancy had introduced a bill to provide for the purchase of property adjacent to the new Brooklyn Post Office. for the purpose of making additions to the building, was received in Brooklyn with a great deal of interest.

The property proposed to be purchased will cost the government about \$700,000.

Adjoining the Post Office on Washington street Adjoining the Post Office on Washington street is an old frame dweiling, 22x100 feet, owned by Mrs. Titus. It is occupied by the Helping Hand Night Mission. The owner was offered \$50,000 for the property, but she demanded \$50,000, which she failed to get. Now she wants, it is said, \$100,000, On the north side of the house is the "Universal!" Building, owned by Liebmann Brothers & Owings. These two structures will be included in the Federal Building, should Mr. Clancy's bill prevail. Mr. Liebmann said yesterday that his property was worth \$600,000 and if the government wanted it it ould get it. He wouldn't say his property was in the market, but the first intimation he had of the Clancy bill was when he saw the despatch in the Harald.

Hanald.

The "Universal" is a one story structure, which is built of material similar to and in conformity with the Post Office building.

The latter structure under the present plans will not be ready for occupancy before September

CHURCHILL'S ALLEGED RELATIVE. A MAN ARRESTED FOR BURGLARY CLAIMS KIN-SHIP WITH A NOBLEMAN.

Burglaries have been unusually frequent of late in Brooklyn and, though some of the perpetrators have been arrested, the majority are still at large. The police succeeded in agresting many "suspicious" persons and some of these have given curious explanations, of themselves and their con-

One of the alleged burglars, arraigned in the Butler Street Poilce Court yesterday morning, said his name was Herbert Churchill and that he was a relative of Lord Randolph Churchill. He said he

relative of Lord Randolph Churchill. He said he was also at one time head bookkeeper for Vice President Morton.

Chu chill's companion, also charged with burglarizing William Elias' residence, No. 352 Seventh avenue, was Joseph Harvey. Both were well dressed and they were held in \$1,500 ball each for examination. Churchill refused to make further expianations.

John Menken's grocery store, at No. 444 Third avenue, was entered by three burgiars early vesterday morning. The clerk, Fraderick Pitcher, was asleep in the room off the store, and while one of the burgiars kept guard over him with a long inife the other two ransacked the room, and among the plunder they carried away was a clock. Suspiction fastened upon William O'Keefe, John Cooper and Edward Caesidy, all of whom are known to the police. When the police arrested them the stolen clock was found in Caesidy's possession.

DUEL AT A CLUB HOUSE. Charles Augustus, a private watchman, and Alfred Johnson, the colored janitor of the club house of the Kings County Wheelmen, at No. 1,255 Bedford avenue, Brooklyn, tried to riddle each other with bullets early yesterday morning, and after both had emptied their revolvers without doing any harm they were arrested and locked up. Johnson told the police that he was standing in Augustus, who, he claimed, was under the influ-Augustus, who, he claimed, was under the influence of liquor, approached him and wanted to throw him down.

After telling him to go about his business Johnson went into the club house. Augustus rapped at the door and when Johnson warned him from an upper window to leave Augustus drew his reviewer and blazed away at the janitor.

The latter then drew his pistol and fired at random, or at Augustus. Neither was hit, and a mounted policeman who had heard the shooting pisced both of them under arrest.

Johnson told Justice Kouna that Augustus was the aggressor and he was discharged, while a fine of \$1 was imposed on Augustus. The pistols used by the ducilists were seven shooters, and as each was emptied fourteen shots had been fired by the combatants.

A RARE ART EXHIBITION. A SPLENDID DISPLAY AT THE RECEPTION OF

THE CRESCENT ATBLETIC CLUB. The Crescent Athletic Club, of Brooklyn, one of the leading social organizations of the City of Churches, held an art exhibition and ladies' reception yesterday afternoon at its handsome club house on the Heights.

More than three thousand people were present and Pierrepont street was blocked with carriages all the afternoon. Among those I noticed were Mrs. Thomas C. Stillmen, Mrs. Henry K. Sheldon, the Misses Koop, Mr. and Mrs. John E. Bowe, Mr. and Mrs. Robert Graves, Mr. William T. Maxwell, Mrs. Barclay, Miss Barclay, Mrs. J. C. Hoagland, Mrs. Schuyler Walden, the Misses Fish, Mr. Alexander Barrle, Mr. and Mrs. Warren Shepard, the Misses Stillmen, Mr. and Mrs. Warren Shepard, the Misses Stillmen, Mr. and Mrs. John S. James, Mr. and Mrs. Charles M. Bull, the Misses Notman, Mr. and Mrs. Charles M. Bull, the Misses Notman, Mr. and Mrs. Edward A. Seceomb, Mr. and Mrs. John B. Ladd, the Misses Knowlton, Mrs. James Callander, Mrs. Thomas O. Callander, Mr. Thomas A. Eddy and Mrs. John S. Callander, Mr. Thomas A. Eddy and Mrs. Lacellos C. Maxwell.

The Art Committee, consisting of Messrs. Thomas A. Eddy, Alexander Barrie, Charles E. Bigelow, James L. Morgan, Jr.; Frederick L. Parker and Warren Sheppard, had arranged an interesting loan display of lifty-four paintings, which will remain on the walls over Saturday. The owners are Brooklyn collectors and New York dealers.

F. A. Eridgeman, is represented by "On the Terrace" and "An Oriental Beauty," E. L. Weeks by "Indian Prince, Palace of Agra" and Ridgway Knight by "Gossip." There is an "Oriental Scene" by Isabey and a "Swimming Leeson" by Kray. Edmund C. Tarbell is represented by "After the Bail," Neuhuys by "The Spinning Wheel" and Cazin by "The Dunes in Holland."

Other canvases are by Corot, Pokitinow, Rico, Vibert, Wiggins, D. Johnson, Shrayer, Kowalski, Warren Sheppard, Sanchez-Perrier, George Inness, Jacquet, Mesgrigny, Deschamps, Gasini, Chialiva, Clays, Percy Moran and Mario Dieterle, nes Van Marcke.

Mr. Latham A. Fish loaned a dozen yachting Mrs. Barclay, Miss Barclay, Mrs. J. C. Hoagland

Marches, Moran and Mario Disterie, ass van Marches and Edmund Fish one. They are the Goelet Cup, Seawanhaka Cup, Atlantic Yacht Club Cup (1873), Atlantic Yacht Club prize bronne (1882), New York Yacht Club Cup (1885), Seawanhaka Prize Tankard (1886), New York Yacht Club Cup (1885), Seawanhaka Prize Tankard (1886), New York Yacht Club Cup (1886), Corintalian Club Cup (1887), New York Yacht Club Cup (1888), New York Yacht Club Cup (1889), New York Yacht Club Prize Lamp (1889) and Atlantic Yacht Club Cup (1889).

SUGAR TRUST SUITS. A TRIAL OF ONE OF THEM TO BE HAD IN BROOKLYN NEXT PRIDAY.

Justice Cullen, of the Supreme Court, Kings county, yesterday set down the time of trial for the Sugar Trust suit for Friday next.

The action is brought by Duncan Cameron against the trust for the appointment of receivers and trustees. Lawyer Edward M. Sheppard, for the trustees, asked that the Court fix the time, and Counselier Hill, on behalf of Mr. Cameron, said he wished it to be understood that he had objections to make to the regularity of these cases being be-

Mr. Root, who represents the trustees, said there were two causes pending-one, Havemeyer against

for the winding up of the trust, and another, Cameron against the trustees, for the appointment of receivers.

"These are two winding up suits, and and interlocutory judgment has already been entered in one," said Mr. Hill, "and this, I take it, stays all other winding up suits, and it is, therefore, improper to bring the cases to trial. There is a judgment which covers everything and provides a stay on all other suits—the Cameron suit and the suit for winding up the trust in New York county. The judgment has been stayed on appeal from an order refusing to vacate it, and after that has been decided we shall know where we stand."

Judge Cullen said, as to the Cameron suit, if they brought the case on for trial in the face of a stay they could be cunished for contempt. If there is no stay he thought the suit might go to trial.

Mr. Hill said there was a permanent infunction against it, and he read the provisions of the interlocutory judgment enjoining both parties from any proceeding which might interfere with the receivers in the performance of their duty.

But the Judge held that this did not prevent them from defending a suit, and besides, under appeal, the judgment was stayed.

While he did not decide the question there as to whether judgment must not be gotten, out of the way before the other case could be tried, he fixed the time of trial for Friday of next week.

BROOKLYN DWELLINGS BURNED. Three two story frame dwellings and a carpenter shop on Newell street, near Norman avenue, Brooklyn, were destroyed by fire yesterday morn-

The flames were discovered in the unoccupied building, No. 88 Newell street, and spread so rapidly that when the firemen reached the scene the house No. 90, adjoining, and the carpenter shop. No. 2016, were on fire. No. 90 was occupied by Charles Brenstone and he and his family had a narrow escape from being burned. While the firemen were working on these buildings the house No. 92 caught fire in the rear and with the others was to-

John Atkinson, who owned No. 88, placed his loss on building was \$500 and on furniture \$400; Louis Antonio owned No. 90 and his loss on building was \$500 and on furniture \$400; Louis Antonio owned No. 90% and placed his loss on building at \$500 and \$400 on stock; Mrs. Fagan estimated the loss on her house at \$500 and on her furniture at \$400. furniture at \$400.

It is thought some one forced an entrance into the unoccupied dwelling to sleep for the night and built a fire in the fireplace, which caused the destruction of the buildings.

CHANGES IN A HOSPITAL. George H. Fisher, a well known lawyer, was elected president of the Board of Trustees of the Eastern District Hospital and Dispensary, on South Third street, Brooklyn, last night. He succeeds ex-Senator Demas Strong, who has been at the head

of the institution for seventeen years. The opposition against Mr. Strong first began The opposition against Air. Strong first began three years ago, when the doctors attached to the staff of the hospital found the institution had no surgical instruments of any kind and the trustees objected to purchasing any.

It is hoped that under the new management no more sick people taken to the hospital in ambulances for treatment will be turned away, because the hospital is an emergency hospital, and also that the money appropriated for hospital purposes will be used for that purpose and not to increase the real estate and endowment fund of the institution.

MEMORIAL TABLET TO BEECHER.

A meeting of the pew holders of Plymouth Church was held last evening for the election of three members of the Board of Trustees. Messrs. John W. Mason, Mortimer C. Ogden and Henry Chapin, Jr., were elected. On motion of Mr. Thomas G. Shearman it was agreed that a memorial tablet to Mr. Beecher should be erected in the auditorium of the church. The cost is to be defrayed by voluntary contribu-tions from the members of the church.

ALL AROUND BROOKLYN.

ALL AROUND BROOKLYN.

From some unknown cause a fire occurred last evening at the homo of Dr. John Gleavy, a two story frame atructure, No. 235 Ninth streat, causing damage to the amount of \$1.200. Michael Lee, aged fourteen years, of No. 83 Columbia atrest, was run over last evening on Congress strest, noar Calumbia, and died during the night at the Long Island College Hospital. The driver of the wagon, Nicholas Brown, of No. 12 Bremen street, was arrested and locked up.

George W. Havrisen, a theatrical manager, recovered a judgment of \$860 in the City Court yesterday against John Z. Little, a well known Brooklyn theatrical mah. Hartise was brief to manage a sompany of players for a casson of thirty: we works at \$40 a week. At the end of twelve weeks he was disclarged, and \$60 was owing him by Little, Judgment was obtained by default.

The pickets of the employer of E. W. Bliss & Co.'s-factory on Flymonth street, who have been locked out for the past week, claim to have detected the presence at the works of Finkerton's men yesterday. But the men, who are quiet and orderly, say the services of detectives will not be needed. Only about baif a dozen men have gone to work. The locked out amployes are hopeful of success. At a meeting it was decided to accept an invitation to attend a mass meeting at the Lutor Lyceum to high to consider the proposed legislation for the abolition of private detective was elected major of the Titty-second regiment. National Guard, on abolition of private detective associations in this State.
Captain Affred E. Steers was elected major of
the Thirty-second regiment, National Gunrd, on
Wednesday night, but Colonel Clarke says the election may be declared flough. The decition
took place at the armory, in Bushwick avenue.
Captain Steers received for votes, Captain Steers received for votes, Captain V.
D. Macumber, six; and there was one blank ballet, mak
ing seventeen in all. Captain Macumber was the choice
of the Colonel, who presided ever the polis. Captain
Schoenock of Cumpany i, and Captain Berger, of Com
pany K. who had previously resigned their commissions
because their companies had been consolitated, desired
to vote and arked for their discharges. After some
haefiation they were allowed to vote with the under
standing that the question of their right to do so would
be submitted to General McLeer.

FIRE CHIEF GEORGE W. WALLING.

[BY TELEGRAPH TO THE HERALD.] KETPORT, N. J., Jan. S. 1891. - George W. Walling, ex-Superintendent of the New York Police Department, was elected Chief Engineer of the Keyport Fire Department at the recent meeting of the Board of Aldermen.

The selection gives general satisfaction.

## CHAIR OF ITS TERRORS.

Bright Hopes of Long Life for Murderers All Over the Country.

STATE JUDGES BLAMED.

They Are Accused of Making an Organized Effort to Run the United States Circuit Courts.

Was Murderer Kemmler "experimentally" roasted when he might have been saved had Lawyer Roger M. Sherman not purposely neglected to make further "appeals" in his case?

Lawyer Sherman "hedged" slightly yesterday as to his reasons for not applying for another writ of habeas corpus in Kemmler's behalf and allowing him to die in the electric chair. He said his first petition for a writ exhausted his points, but that if "he had been paid for hunting up new points he might have found a few."

He explained his previous statement that "certain judges had exerted a most powerful influence upon him" in the Kemmler case thus:—

"A regularly organized attempt was made by the State court judges to run the United States courts, That is what I meant and that is what I repeat. "Do you know the names of the judges, Mr.

Sherman?

"Who were they?" "That I refuse to disclose. I am willing to tell all I can in the matter without violating somebody's confidence."

Mr. Sherman declined to tell in what manner the judges attempted to run the United States courts, but he emphatically said that they did so attempt it and that the attempt was an organized one.

Mr. Sherman said the reason he did not make all his "points" in the first petition of Murderer Shibuya Jugigo was that he had not discovered them at that time. These points were all debata-ble, and were admitted to be so by Judge Lacombe, NO WRITS WITHOUT POINTS. "I cannot go into a court and apply for a writ of habeas corpus with a piece of blank paper." said

Mr. Sherman. "If I did so the Judge would retune to entertain my application. If I was to go to the United States Supreme Court with frivolous points they would very likely rebuke me and disbar me." Judge Lacombe, in answer to the question whether he know of any "attempt made by State indees to run the United States Circuit courts,

"So far as I know there was nothing of the kind. Personally I have never known or heard of even any expression of opinion thereon by any State judge."
Referring to his position, as expressed in his written opinion in the Jugigo case, Judge Lacombe

Referring to his position, as expressed in ma written opinion in the Jugigo case, Judge Lacombe said:

"By the use of the phrase 'second' or 'twenty-second' I meant simply this—that if a prisoner had twenty-two separate objections which he might bring before the federal courts he might, by presenting each one separately, invoke the operation of section 766 twenty-two separate times."

JUDGE WALLACK SPRAKE.

When I spoke to Judge Wallace about State judges having attempted to run his Court he said:—
"I do not know who Mr. Sherman refers to when its reported) he speaks of certain judges who exerted pressure upon him not to take further proceedings in the Kemmler case and am not disposed to take any notice of the statements attributed to him.

"No prudent lawyer would attempt to resort to a second babeas corpus to try the question already decided upon a previous habeas corpus. While the statute permits this to be done, and, if the second writ is refused, allows an appeal to the Suprems Court of the United States as a matter of right, it would be such an unwarranted interference with the decent administration of justice to do so in an utterly frivolous case that the lawyer attempting it would probably be disbarred."

Murderers all over this country can step right up now and apply for writs of habeas corpus in the United States Circuit courts to prevent their execution, and when their applications are refused appeal to the United States Supreme Court.

MUST TET AGAIN FOR JUGGOO.

Lawyer Sherman's effort in behalf of murderer

fused appeal to the United States Supreme Court.

MUST TRY AGAIN FOR JUGGO.

Lawyer Sherman's effort in behalf of murderar Juggo proved unavailing in the Supreme Court of Kings county yesterday. He made application originally before Judge Lacombe for the allowance of a writ of error to the Supreme Court of the United States to review the action of the Court of Oyer and Terminex in New York county in resentencing Juggo before the decision of the United States Supreme Court in the previous habeas corpus case had been sent to or made a record of in the United States Court in New York.

or made a record of in the United States Court of New York.

The application was denied by Judge Lacombe on the ground that only a State judge could grant the writ of error.

Justice Barilett, when applied to yesterday, decided that as a judge of the Court of Oyer and Terminer he had no jurisdiction out of his own

BATTERED BY A HIGHWAYMAN. OLD ME. EI ENSMITH WOUNDED GRIEVOUS! Y BUT HIS MONEY WAS SAVED.

[BY TELEGRAPH TO THE HERALD.] Monnistows, N. J., Jan. 8, 1891.—Charles Eisensmith, a prominent resident, was last evening attacked by a stranger and almost murdered Eisensmith, who is far advanced in years, believed that banks were not safe institutions and always carried a large amount of money on his person.

About eight o'clock last night he was returning to his home in Jockey Hollow in a buggy, and when on Western avenue was bailed by a stranger who asked to ride with him. Eisensmith stopped his horse and the man jumped into the vehicle and struck him a terrible blow on the head with a heavy place of iton.

struck him a terrible blow on the head with a heavy piece of iron.

With the blood streaming down his face Elsensmith attempted to defend himself, and in the struggle that followed both men fell into the road. There for several minutes the highwayman continued to rain blows on his victim's face and head. Just when Eisensmith was losing consciousness some one was heard approaching and the man look to the woods and escaped.

The assaulted man was taken to his home. The dectors say he cannot live. At the time of the attack he had over \$1,000 in his pookets, which was not touched. The identity of the highwayman is unknown.

NEWBURG'S LEG BREAKING SLEDS [BY TELEGRAPH TO THE HERALD.] NEWBURG, Jan. 8, 1891 .- There were five serious

coasting accidents in Newburg within twenty-eight hours this week. On Wednesday night, while riding down First

On Wednesday night, while riding down First street hill on bob sleds, Annie Code, aged thirteen, and Thomas Dawson, aged eighteen, were thrown off in collisions with other sleighs and each had a leg broken.

Mrs. William McGiffert was run into by a coaster on Ann street hill Tuesday evening and seriously injured, and Mrs. Davis, of Carter street, was struck by a bob sled on City Terrace. Her head was cut and her body bruised.

The same afternoon a ten-year-old girl named fitzgerald, while coasting down Gidney avenue, was hit by a horse and sleigh and badly hurt.

Mayor Doyle has ordered that there shall be no more coasting on Ann street.

THE PORTUGUESE STUDENT [From the European Edition of the Herald.]

What the Portuguese student needs is a course of thorough instruction in football. He could slake his thirst for blood in the opportunities for assault and battery which that painful game af fords to the Angle-Saxon student. In the absence of football he turns his attention to politics, and by his combined ignorance and uproariousness makes life a burden to his unhappy rulers. Some time since the students of Oporto bound themselves by a solemn cath to destroy the British Empire by destroying the British Consul, but they gave up that intention on learning that the Consul was a preficient in the brutal British sport of boxing. Now the happy thought has occurred to them of going in a bedy to Africa, and there bearding the casual wandering cub of the British lion in any available African lair. The proposal is said to be halled with enthusiasm by all peaceful Portuguese, who are more than willing to subscribe money to hasten the departure of the students. As, however, there are some people who attach a value to Portuguese students, and as those students who may go to Africs will never return, a better plan would be to send them to New Haven and require them to play football with the Vale men for a few weeks. The survivors could be brought back to the Portuguese hospitals and would be quiet and inoffensive for rest of their lives. life a burden to his unhappy rulers. Some time